

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In the Matter : Chapter 7  
: Case No. 21-10699 (DSJ)  
-of- :  
: :  
KOSSOFF PLLC, :  
: :  
: Debtor. :  
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**ORDER AUTHORIZING CHAPTER 7 INTERIM TRUSTEE TO  
RETAIN TOGUT, SEGAL & SEGAL LLP AS HIS ATTORNEYS**

Upon the application (the “Application”) of Albert Togut, not individually but solely in his capacity as the Chapter 7 Interim Trustee (“Trustee”) herein, for authority to retain Togut, Segal & Segal LLP (the “Togut Firm”) as his attorneys in connection with his administration of the estate of Kossoff PLLC (the “Debtor”), pursuant to section 327(d) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rule 2014-1; and upon the Affidavit of Neil Berger, Esq. furnished in compliance with the Local Rules of this Court; and it appearing that the attorneys employed by the Togut Firm are duly admitted to practice in this Court, that the Togut Firm represents no interests adverse to the Debtor’s estate and that the employment of the Togut Firm is necessary and in the best interest of the estate; and notice pursuant to Local Rule 9074-1(b) having been given; and no objections to the relief requested having been filed; and the United States Trustee having no objection to the entry of this Order; and reasonable cause appearing therefore; and no further notice thereof being required, it is

**ORDERED** that the Trustee be, and hereby is, authorized to employ the Togut Firm as his attorneys in connection with the Debtor's estate, pursuant to section 327(d) of the Bankruptcy Code to perform legal Services,<sup>1</sup> including, but not limited to

- a. assisting the Trustee to identify, marshal and liquidate the Debtor's assets;
- b. investigating the financial affairs of the Debtor and initiating appropriate avoidance and other claims in favor of the Debtor's estate, if any;
- c. commencing contested matters, where necessary, to avoid and recover transfers that were made by the Debtor prior to the Petition Date; and
- d. initiating and litigating claim objections where a purpose would be served; and it is further

**ORDERED**, that ten business days prior to any increases in the Togut Firm's rates for any individual employed by the Togut Firm and retained by the Trustee pursuant to Court order, the Togut Firm shall file a Supplemental Affidavit with the Court setting forth the basis for the requested rate increase pursuant to 11 U.S.C. §330(a)(3)(F), and parties in interest, including the United States Trustee, retain all rights to object to or otherwise respond to any rate increase on all grounds including, but not limited to, the reasonableness standard under section 330 of the Bankruptcy Code; provided, however, that supplemental affidavits are not required for rate increases effective on or after the date that the Trustee submits the Trustee's Final Report to the United States Trustee; and it is further

**ORDERED** that for cause shown in the Application, the retention of the Togut Firm shall be effective *nunc pro tunc* to May 12, 2021; and it is further

**ORDERED** that all compensation to be received by the Togut Firm for services rendered to the Trustee shall be subject to proper written application for compensation in

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<sup>1</sup> Capitalized terms which are not defined herein shall have the meanings ascribed to them in the Application.

accordance with sections 330 and 331 of the Bankruptcy Code, and shall be paid pursuant to further Order of this Court.

DATED: New York, New York  
June 15, 2021

*s/ David S. Jones*  
HONORABLE DAVID S. JONES  
UNITED STATES BANKRUPTCY JUDGE

**NO OBJECTION:**

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE  
By:

*/s/ Andrew Velez-Rivera*  
ANDREW VELEZ-RIVERA, ESQ.  
TRIAL ATTORNEY